

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PETER W. LINDNER,

Plaintiff,

-v-

INTERNATIONAL BUSINESS MACHINES  
CORP., ROBERT VANDERHEYDEN, HEATHER  
CHRISTO HIGGINS, JOHN DOE #1, and JOHN  
DOE #2,

Defendants.

No. 06 Civ. 4751 (RJS)  
ORDER

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 11/10/09

RICHARD J. SULLIVAN, District Judge:


By Order dated October 27, 2009, Plaintiff was instructed to submit his opposition to Defendants' motion for summary judgment by November 9, 2009. The Court is now in receipt of three documents submitted by Plaintiff, including a memorandum of law, an affidavit in support, and a "Response to Defendant Motion for Summary Judgment." The documents, which were sent directly to chambers, have been forwarded to the Clerk of the Court for filing. Plaintiff is instructed that in the future, any substantive documents must be filed directly with the Clerk of the Court; Plaintiff may contact the Pro Se Office if he requires assistance.

Plaintiff's affidavit indicates that his computer is broken, such that he is missing "the bulk of his files" relevant to this litigation. Plaintiff has previously represented to the Court that he hopes to be able to access the files on his old computer once his new computer arrives and is properly configured. Accordingly, IT IS HEREBY ORDERED that Plaintiff may supplement his November 9, 2009, submission with any relevant documents he has been able to recover from his old computer in a submission to be filed by December 1, 2009. If Defendants wish to

file a reply brief, they shall do so no later than December 8, 2009. The Court will thereafter treat the motion as fully submitted.

As Plaintiff first complained of computer problems by letter dated August 31, 2009, the Court expects that whatever recovery of files is possible shall be completed in time for Plaintiff to comply with the December 1, 2009, deadline. Accordingly, no extensions will be granted from the deadlines stated above.

Dated: November 10, 2009  
New York, New York



RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE

A copy of this Order was e-mailed to:

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Scott P. Benjamin  
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